

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas

ENTERED

September 22, 2017

David J. Bradley, Clerk

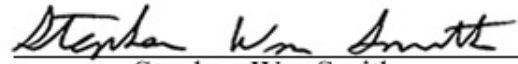
MICHAEL GEOFFREY PETERS.,	§	
Petitioner,	§	
	§	
v.	§	CIVIL ACTION NO: H-17-2389
	§	
LORIE DAVIS,	§	
Director of the Texas Department	§	
of Criminal Justice - Correctional	§	
Institutions Division,	§	
Respondent.	§	

MEMORANDUM AND RECOMMENDATION

Petitioner was ordered to file a more definite statement of his claim for federal habeas relief using the approved form (Dkt. 8). Petitioner declined to do so. Instead, he filed a “requested definition of statement” in which he concedes that he has not exhausted his state court remedies (Dkt. 13). He argues that he should be allowed to proceed in federal court without exhaustion because the Texas Court of Criminal Appeals is hostile or indifferent to his claims. He still has not clearly identified the trial and appellate case numbers of the conviction or convictions he is challenging, the filing dates of any direct appeals and/or state court writ petitions, and the dates of any state court rulings. Petitioner also failed to pay the \$5.00 filing fee as ordered by the court (Dkt. 8).

The court recommends that petitioner’s motions for leave to file this federal habeas proceeding (Dkts. 1, 7, 10) be denied and this case be dismissed without prejudice to refiling after complete exhaustion of state court remedies.

Signed at Houston, Texas on September 22, 2017.


Stephen Wm Smith
United States Magistrate Judge